

WILLIAM A. KILBURN.

MAY 23, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. Cox, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 9701.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 9701) to remove the charge of desertion against William A. Kilburn, having had the same under consideration, report the same back to the House with the recommendation that it do pass.

The records show that William Kilburn enlisted, was enrolled, and mustered into service March 16, 1862, as private of Company E, Eleventh Regiment of Illinois Infantry Volunteers, to serve three years. He served faithfully until April 7, 1862, when he is marked as a deserter. On October 2, 1863, he enlisted in Company A, of the Second Tennessee Mounted Infantry Volunteers, and was mustered into service the same day as a musician, to serve one year. He served faithfully until October 14, 1864, when he was mustered out and honorably discharged at Nashville, Tenn.

The soldier states that when he left his command and is charged with desertion that he was given a pass by Capt. L. D. Waddell to go home, and that at that time the surgeon thought he had smallpox. He went to his home and remained there for some time, being sick with the measles when he arrived. It was some months before he was able for duty. When he became able for duty his regiment had moved, and he, not appreciating that it was necessary for him to rejoin his old regiment, enlisted in Company A, of the Second Tennessee Mounted Infantry Volunteers.

He presents a pass, which has the appearance of being genuine, which reads as follows:

Captain of boat will pass Joseph and William Kilburn down the river to Savannah. April 7, 1862.

Capt. L. D. WADDELL,
Company E, Eleventh Regiment.

The soldier also presents a petition signed by 115 of his neighbors, asking that the charge of desertion be removed.

He also presents the affidavits of J. M. Dixon and C. H. Dixon, which are annexed hereto and made a part of this report.

MARCH 27, 1898.

STATE OF TENNESSEE, *Wayne County*:

Personally came J. M. Dixon before me and made the following statement: That his post-office address is Waynesboro, Tenn., and that he has known William A. Kilburn for over forty years, and that he went to the Army of the United States about the 1st of March, 1862. He came back home the last of March or 1st of April, 1862, in full uniform, and was not well when he got home. I understood that he was on furlough on account of his health, and in a few days was confined with bad case of measles. He got along badly, and was not able to hardly do anything for about six months. By this time his regiment was gone, he did not know where. Not knowing the rules of the Army, he volunteered later in Second Tennessee Mounted Volunteers, made a good soldier, and was honorably discharged when his time was out, he being in the same company that I belonged to.

J. M. DIXON.

Sworn to and subscribed before me March 29, 1898.

[SEAL.]

W. H. CASTEIL, *Clerk*.STATE OF TENNESSEE, *Wayne County*:

Personally appeared before me C. F. Dixon, a person with whom I am well acquainted, and whom I certify to be respectable and entitled to credit, who, being sworn, says in regard to W. A. Kilburn's war record: That he has known W. A. Kilburn ever since he (Kilburn) was a child, and said Kilburn went to Savannah, on the Tennessee River, when the Federal troops came up the river sometime before the battle of Shiloh, in 1862. Said Kilburn was gone about one month when he returned home in bad health, and he soon developed a case of measles. He was confined for quite a while. Affiant was living about 2 miles from said Kilburn at this time. Said Kilburn remained in bad health for about one year or more, and was not able to do farm labor in the summer of 1863. Affiant says he saw him, said Kilburn, at intervals all during this time. After he became able for service said Kilburn left home to reenter the service, about October, 1863, and in about twelve months from that time said Kilburn returned home. Affiant says that he saw said William A. Kilburn several times while he was in his last service, in Company A, Second Regiment Tennessee Mounted Infantry Volunteers; said company was stationed at Clifton, Tenn.; for some time during the year said Kilburn was in the service. Affiant says he is 69 years of age, and his post-office is Moon, Tenn. He is not interested, directly or indirectly, in this matter.

C. F. DIXON.

Sworn to and subscribed before me March 29, 1898.

[SEAL.]

W. H. CASTEIL, *Clerk County Court*.

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